IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 31939 of 2003(B)

PETITIONER:

ANIL J.MATHEW, MANAGING PARTNER,
VANIAPPURAKKAL JEWELRY, CHANGANASSERY.

BY ADV. SRI.K.G.BALASUBRAMANIAN

RESPONDENTS:

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1. THE ASSISTANT EXECUTIVE ENGINEER,
(APTS), KOTTAYAM.

2. THE ASSISTANT EXECUTIVE ENGINEER,
CHANGANASSERY

3. THE DEPUTY CHIEF ENGINEER (APTS)
HEAD QUARTERS, VIDYUTHI BHAVAN, THIRUVANANTHAPURAM.

BY SR.ADV.MR.N.N.SUGUNAPALAN, S.C. FOR KSEB
ADV. SRI.T.G.RAJENDRAN SC FOR K.S.E.B.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX(WPC 31939/03)

PETITIONER'S EXTS.:

EXT.P1: TRUE COPY OF APPEAL SUBMITTED BY PETITIONER BEFORE RESPONDENTS 2 AND 3.

EXT.P2: TRUE COPY OF JUDGMENT DATED 9.12.2002 IN O.P.37046/02.

EXT.P3: COPY OF CHARGE SHEET IN CC 967/03 IN THE COURT OF THE LJUDICIAL MAGISTRATE OF THE 1ST CLASS, CHANGANASSERY.

PIUS C. KURIAKOSE,J.

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W.P.(C) No.31939 of 2003

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Dated: 27th July, 2007

JUDGMENT

The ground on which the quashment of the Calender Case is sought for by the petitioner is that the appeal preferred by him before the statutory appellate authority has not been disposed of. In this case the statutory appellate authority has already disposed of the appeal and against the appellate order the petitioner has filed a Writ Petition, W.P.C.No.16752/05. Having regard to the rival submissions addressed at the Bar, I am of the view that the only relief which the petitioner can aspire for is to have the order of stay presently passed continue till such time this court takes a decision on W.P.C.No.16752/05. Accordingly, it is ordered that the order of stay will continue till such time W.P.C.No.16752 of 2005 is finally disposed of by this court.

The Writ Petition is disposed of as above. No costs.

srd **PIUS C.KURIAKOSE, JUDGE**